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Attorneys for Plaintiff May Moran

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8 In the United States District Court

9 In and for the Eastern District of California

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No. CIV.S -04-2461 DFL DAD

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Plaintiff,

STIPULATION TO DISMISS
WITH PREJUDICE; ORDER

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4 ALEX'S TRANSPORTATION, INC.

15

Defendant.

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Plaintiff May Moran and defendant Alex
Transportation, Inc., by and through their respective
attorneys, hereby stipulate and agree to the dismissal of the
above-entitled matter with prejudice. The parties further
stipulate that neither party shall seek an award of
attorney's fees or costs.

IT IS SO STIPULATED.

DATED: 12-28-05

HIGHMAN, HIGHMAN AND BALL
A Professional Law Association

1 By _____/s/ _____
2 Lawrence Ball,
3 Attorneys for Plaintiff May Moran

4 IT IS SO STIPULATED.

5 DATED: 12/28/05

6 GRESHAM SAVAGE NOLAN & TILDEN
7 A Professional Corporation

8 By _____/s/
9 Robert Hicks, Attorney for
10 Alex Transportation, Inc.

11 IT IS SO ORDERED

12 DATED: 1/5/2006

13 _____/s/ David F. Levi _____
14 DAVID F. LEVI
15 United States District Judge

CERTIFICATE OF SERVICE

I, the undersigned, hereby declare that I am employed in the County of San Francisco, California, and my business address is 870 Market Street, Suite 467, San Francisco, California 94102. I am over the age of eighteen and not a party to this cause. On the date set forth below, I served [] the original(s) true and correct copies of the below listed document(s) to which this declaration is appended, upon the parties to this action:

STIPULATION TO DISMISS WITH PREJUDICE; ORDER

- [X] BY U.S. MAIL - I am readily familiar with the business' practice for collection and processing of correspondence for mailing with the U.S. Postal Service. The above-referenced document(s) were deposited in the ordinary course of business with the U.S. Postal Service in the County of San Francisco in a sealed envelope with postage thereon fully prepaid, addressed to the below listed party(ies).

[] BY PERSONAL SERVICE - I caused the above document(s) to be delivered by hand to the party(ies) listed below.

[] BY FEDERAL EXPRESS - I am readily familiar with the business' practice for collection and processing of documents for delivery with Federal Express Corporation, and said document(s) were deposited in a Federal Express Corporation drop-box in the ordinary course of business, with shipping charges fully prepaid for delivery on the next business day to the party(ies) listed below.

[] BY FACSIMILE TRANSMISSION - I caused the above document(s) to be sent by facsimile to the party(ies) listed below at the facsimile transmission number(s) so listed.

Individuals served:

Richard D. Marca
Robert J. Hicks
GRESHAM SAVAGE NOLAN & TILDEN
3750 University Avenue, Suite 250
Riverside, CA 92501

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

DATED: December 28, 2005

/s/

KEVIN A. MENDEZ